

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

JOSE LUIS ROMAN
Reg. # 88685-079

PLAINTIFF

V.

CASE NO. 2:09CV00089 JMM/BD

DAVID EBBERT, *et al.*

DEFENDANTS

ORDER

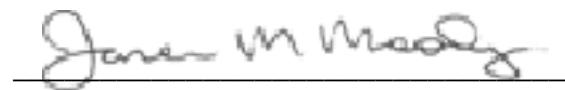
Plaintiff filed a pro se Complaint (docket entry #2) on July 14, 2009, along with an Application to Proceed *In Forma Pauperis* (#1). In his Complaint, Plaintiff alleges that while he was housed at the Federal Correction Institution in Allenwood, Pennsylvania, he was brutally attacked by members of the “Paisis Prison Gang.” Plaintiff alleges that Defendants, all employees of the Federal Correction Institution in Allenwood, failed to protect him from the attack although they knew, or should have known, that members of the “Paisis Prison Gang” posed a substantial risk of harm to Plaintiff. Since this incident occurred, Plaintiff was transferred to the Federal Correction Institution in Forrest City, Arkansas, where he currently is incarcerated.

According to Plaintiff’s Complaint, it appears the wrongful acts he complains of arose during his incarceration in the Federal Correctional Institution in Allenwood, Pennsylvania, which lies in the Middle District of Pennsylvania. All of the Defendants named in this action are employees of the Federal Correctional Institution in Allenwood. The Court finds that the interests of justice would best be served by transferring this case

to the Middle District of Pennsylvania under 28 U.S.C. § 1406(a) and 28 U.S.C. § 1391(a), where there will be greater access to the witnesses, and where the Court can appoint local counsel and hold a local trial.

The Clerk of the Court is directed to immediately TRANSFER PLAINTIFF'S ENTIRE CASE FILE to the United States District Court for the Middle District of Pennsylvania, Williamsport Division, United States Courthouse and Federal Office Building, 240 West Third Street, Suite 218, Williamsport, Pennsylvania, 17701.

IT IS SO ORDERED this 8th day of September, 2009.



UNITED STATES DISTRICT JUDGE